

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MARY E. MILLER,	:	
Plaintiff,	:	Case No. 3:11cv00284
vs.	:	District Judge Thomas M. Rose Magistrate Judge Sharon L. Ovington
MICHAEL J. ASTRUE, Commissioner of the Social Security Administration,	:	
Defendant.	:	

DECISION AND ORDER

This case is before the Court upon the parties' Stipulation To Award EAJA Fees. (Doc. #14). The parties agree that Plaintiff is entitled to an award of attorney fees under the Equal Access To Justice Act (EAJA), 28 U.S.C. §2412, in the total amount of \$3,600.00. The parties also agree that such an award will fully satisfy any and all of Plaintiff's claims for fees, expenses, and costs under §2412.

Under the parties' agreement, any EAJA fees paid belong to Plaintiff and not her attorney and can be offset to satisfy pre-existing debt that Plaintiff owes the United States pursuant to *Astrue v. Ratliff*, 560 U.S. __, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010).

Accordingly, the Court hereby **ORDERS** that:

1. The parties' Stipulation To Award Attorney Fees (Doc. #14) is accepted, and the Commissioner shall pay Plaintiff's attorney fees under 28 U.S.C.

§2412 in the total amount of \$3,600.00;

2. Defendant shall verify, **within thirty days of this Decision and Order**, whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel; and
3. The case remains terminated on the docket of this Court.

November 2, 2012

THOMAS M. ROSE

Thomas M. Rose
United States District Judge